IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE THIRTEENTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

-

WRIT PETITION NO : 18779 of 2004

Between:

M.Govindu, S/o Ankalappa,
R/o D.No.23/575, Old Guntakal, Ananthapur District

..... PETITIONER

AND

1 The Sub Inspector of Police, Guntakal Police Station, Ananthapur District
2 The Deputy Superintendent of Police, Guntakal, Anantapur District

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, Order or direction more particularly one in the nature of a Writ of Mandamus declaring the action of the respondents in calling the petitioner to Guntakal Rural Police Station, Anantapur District and forcing him to wait from morning to evening without any legal cause as illegal, arbitrary and violation of Article 21 of the Constitution of India and consequently direct the respondents 1 and 2 to forbear from interfering with the personal liberty of the petitioner.

Counsel for the Petitioner: MR.KUNCHEAMMAHESWARA RAO

Counsel for the Respondents: GP FOR HOME

The Court at the admission stage made the following:

ORDER:

The petitioner seeks a writ of Mandamus declaring the alleged action of the respondents in calling the petitioner to the Guntakal Police Station, Anantapur District and forcing him to wait from morning to evening without any legal cause, as arbitrary and illegal.

Having heard the learned counsel for the petitioner and the learned Government Pleader for Home appearing for the respondents and keeping in view the allegations made by the petitioner, I deem it appropriate to dispose of the writ petition with a direction to the respondents not to summon the petitioner to the Police Station, if no crime is registered against the petitioner in connection with any offence as on today.

It is made clear that in case the presence of the petitioner is required for the purpose of investigation in any other case or for any other reason whatsoever, the respondents may summon the petitioner, but the same shall be done strictly following the due process of law.

Accordingly, the writ petition is disposed of. No costs.

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13.10.2004

VGB

To

1 The Sub Inspector of Police, Guntakal Police Station, Ananthapur District
2 The Deputy Superintendent of Police, Guntakal, Anantapur District

3 2CCs to the Government Pleader for Home, High Court Buildings,

Hyderabad (OUT)

4 2CD copies